

**MOTION BY SUPERVISORS MARK RIDLEY-THOMAS
AND JANICE HAHN**

September 25, 2018

Expanding Regulation of Nuisance Tobacco Shops

On March 6, 2018, the Board of Supervisors instructed the Director of the Department of Public Health (DPH), in collaboration with the Director of Regional Planning (DRP), County Counsel, Sheriff, Treasurer and Tax Collector (TTC), and key community stakeholders, to report back on nuisance tobacco shops, to assess: (1) the number and location of tobacco shops in unincorporated Los Angeles County (County) with a focus on the impact of such businesses on community health and safety, including disparate health impacts; (2) best practices and regulatory mechanisms to address nuisance tobacco shops; (3) mechanisms to track and monitor tobacco shops; and (4) existing and new targeted education and outreach strategies to reduce tobacco and other substance use.

The requested report, filed on August 15, 2018 summarized the findings and recommendations of a workgroup consisting of DPH, DRP, County Counsel, Sheriff, and TTC. The workgroup identified a concentration of tobacco shops in the First and Second Supervisorial Districts, and identified potential disparate impacts on public

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safety in communities where such businesses are concentrated. Additionally, the workgroup recommended several changes to the County Code to better promote public health and safety related to tobacco products and retailers.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Instruct the Director of the Department of Regional Planning, in consultation with County Counsel, to draft an ordinance to amend Title 22, that will result in tobacco shops being prohibited in residential zones, within a certain distance of residential zones, and within a certain distance from sensitive uses whose primary purpose is to serve children, such as elementary and middle and high schools, parks, and youth centers;
2. Instruct County Counsel, in consultation with the Treasurer and Tax Collector, to draft an ordinance requiring tobacco shops to obtain a County Business License;
3. Instruct County Counsel, in consultation with the Director of the Department of Public Health, to draft an ordinance amending the County Tobacco Retailing License Ordinance to reflect best practices and findings identified in the August 15, 2018 report, including regulating retailers of electronic tobacco products and flavored tobacco products; and
4. Instruct County Counsel to submit the amended ordinances to the Board of Supervisors for approval in 180 days.

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